

MINUTES

**Cosmetology/Barber, Esthetician, Electrology,
Master Esthetician, Nail Technology Licensing Board
September 12, 2005
Room 4A
Heber Wells Building**

Convened: 9:02 a.m.

Adjourned: 1:06 p.m.

Division Staff Present:

Division Director
Bureau Manager
Board Secretary

J. Craig Jackson
Daniel T. Jones
Lee Avery

Members Present:

Monica Bruin, Chairperson
Lyle Ferguson
Gloria Miley
Marti Frasier
Lenette Johnson-Casper
Shauna Fox
Fran Brown
Debbie Fox
Ruth Ann Holloway

Guests:

Fred Martinez
Penny Romero
Lydia Goodfellow
Minoa Boger
Mandy Humphrey
Therese Taylor
Julie Morby
Leesa Myers
Deborah May
Cheryl Piper-Snyder
Kimberlie Mach
Michelle Swendsen
Jalene Hansen
Shannon Mcwing
LuJean Tatton
Chad Price

TOPIC FOR DISCUSSION

Minutes

Elect a New Chairperson

Appointments:

Doug Mortensen – Probation Interview

DECISIONS & RECOMMENDATIONS

Minutes for June 6, 2005 were reviewed.

Ms. Brown motioned to approve the minutes with correction, seconded by Ms. Frasier. The motion carried unanimously.

Ms. Brown motioned to have Ms. Bruin continue as the chairperson, seconded by Ms. Frasier. The motion carried unanimously.

Mr. Mortensen presented himself to the Board. Ms. Holloway conducted the interview. Mr. Mortensen advised the Board his license was placed on probation because of a drug conviction for possession of Methamphetamines and he will be meeting with the Probation Board next week to talk about terminating his court probation. Mr. Mortensen stated he is currently working as a painter, not doing hair at this time. The Board reviewed Mr. Mortensen's Memorandum of Understanding (MOU) with him. Mr. Mortensen stated he has not completed a chemical dependency program yet because of financial problems. He has been clean since February 22, 2004 and he attends Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) three (3) times a month, however, he has not had the signature cards signed. Mr. Mortensen stated the urine analysis (UA's) have been set up with Adult Parole and Probation (AP&P).

The Board advised Mr. Mortensen if he is not working in the Cosmetology field for ninety (90) days, his probation will freeze, until he starts working in the field again. The Board asked Mr. Mortensen to keep his information updated.

**Cosmetology/Barber, Esthetician,
Electrology, Master Esthetician, Nail
Technology Licensing Board
September 12, 2005
Page 3**

The Board briefly talked with Mr. Mortensen about transferring his probation to another state as Mr. Mortensen stated he is moving to Oregon in about sixty (60) days. Mr. Mortensen was given meeting cards to have signed when he attends the twelve (12) step meetings. The Board encouraged Mr. Mortensen to attend more than three (3) meetings a month and to have these cards signed and bring back to the Board. **Not In Compliance**

Mary Ronnow -
Thomson/Prometric concerns

Ms. Stephanie Collins presented herself to the Board. Ms. Collins advised the Board she is representing Ms. Ronnow. Ms. Collins expressed concerns regarding the many problems with getting students tested since Thomson/Prometric merged with Experior, i.e.: students showing up to take the exams and there is no paperwork forwarded to the testing site, students were turned away at the last exam because of this and there is not enough space to test all students in a timely manner. The Board discussed the problems and concerns in detail. Mr. Jones introduced Ms. Julie Morby, from Thomson/Prometric. Mr. Jones stated Ms. Morby was here to note the problems and search for resolution. Mr. Jones advised the Board the call center supervisor is Tim Gerry. Mr. Gerry is the Program Manager of Operations.
The Board took no action.

Leesa Myers – New Testing Requirements
Nail Models

Ms. Leesa Myers presented herself to the Board. Ms. Myers expressed concerns regarding the Board's decision regarding the use of mannequins. Ms. Myers showed the Board a tape recording showing several Nail Technician Instructors working on mannequin hands, doing the different modalities new

students are required to complete during testing and noting many areas of concern, i.e.; the cost of the mannequins, the mannequin hand is held in an unnatural position, the nail is in an unnatural position, nail on a mannequin is cold and the set up is different than on a live model, ie body temperature. The Board discussed the above concerns in detail, noting past concerns with using a live model is the students are using experienced licensed professionals as their model, jeopardizing the validity of the examination process, students complaints they have been unable to locate a live model. Ms. Holloway motioned to allow the following, seconded by Ms. Frasier:

Cosmetology:

1. A live male model for the Barber portion, may also be used for the facial esthetics.
2. A mannequin for the cosmetology women's cuts, perms and styling.

Nail:

1. A live model

Esthetics:

1. A live model

Re-evaluate this in six (6) months.

The motion carried unanimously.

Mr. Jones stated he would have the changes made as quickly as he could and he will advise the Board at its December meeting. Mr. Jones noted the only change on the current "Candidate Information Bulletin" (CIB) is the use of mannequins. The test lines did not change.

Mr. Jones noted the rule change will include eliminating the grandfather clause and a few housekeeping items. Mr. Jones stated the changes will be scheduled to go into effect the first of the year.

**Cosmetology/Barber, Esthetician,
Electrology, Master Esthetician, Nail
Technology Licensing Board
September 12, 2005
Page 5**

Bruce Dains – Application Review

Mr. Bruce Dains presented himself to the Board. Mr. Jones advised the Board Mr. Dains is requesting the Board consider issuing him a Nail Technician license. Mr. Dains reviewed with the Board his criminal history, stating he was in prison in 1997 for sexual abuse. Mr. Dains advised the Board he has been out of prison for one year and completed a sex offenders program while he was in prison. Mr. Dains advised the Board he received his Nail Technician training in prison and passed the Utah Theory at 92%, he was still waiting for the exam results for the practical exam. Mr. Dains advised the Board he has found a salon interested in hiring him, he has advised the owner of his history and is willing to work under direct supervision. The Board talked with Mr. Dains in detail and expressed its concerns regarding Mr. Dains working close with the women clientele, often being engaged in detailed intimate conversations. Mr. Jones advised the Board it had three (3) options. It can approve a license, deny a license or approve with conditions. Ms. Johnson-Casper motioned to deny license, seconded by Mr. Ferguson. The motion carried with two (2) abstaining.

**Patricia Jahn – Instructor Application
Review, reinstatement**

Mr. Jones advised the Board Ms. Patricia Jahn's submitted an application for reinstatement of her Cosmetology/Barber Instructors license. Mr. Jones advised the Board Ms. Jahn's Instructors license was suspended because she had not complied with statute requirements by keeping apprenticeship logs, signs over the station or direction supervision of her student. Ms. Jahn's stated she was not able to make it to the hearing to represent herself when she first lost her Instructors license in 2003. Ms. Jahn advised the Board she did not have a theory curriculum she

taught her students. She just kept track of their practical hours and instructing them in sanitation and chemical however, mostly it was hands on experience. She would put her apprentices in charge of sanitation. The Board talked with Ms. Jahn in detail, expressing its concern regarding Ms. Jahn's teaching and record keeping method. It felt she is putting her students at a disadvantage. The Board suggested she attend an accredited instructors training program in one of the schools. Mr. Ferguson motioned to have Ms. Jahn submit a curriculum and show knowledge of the laws before a provisional instructors license be issued, seconded by Ms. Holloway. The motion carried unanimously.

Gayle Jensen and Bridgett Jensen – Beau La Reine College of Beauty School.

Ms. Gayle Jensen and Ms. Bridgett Jensen failed to keep their appointment with the Board.

Application Review:

Sara Blythe Bain, review education and exams

Ms. Sara Bain presented herself to the Board. Ms. Bain advised the Board she obtained her Cosmetology license in Oregon. She graduated from a competency school. Their license requirements are not as high as Utah's license requirements. Ms. Bain advised the Board she has worked just over one (1) year and has 350 hours nail technology, 250 hours esthetics, 450 hours cosmetology/barber. The Board reviewed Utah statutes with Ms. Bain in detail. Mr. Jones will call the Oregon Board to verify Ms. Bains accredited schooling hours. The Board suggested she work in Nail Technology until she can obtain the additional schooling hours needed. Ms. Bain still needs to pass the Utah Endorsement Law and Utah Theory exams.

DISCUSSION:

NIC Report – RuthAnn Holloway

Ms. Holloway attended the National Interstate Council (NIC) convention in Washington.

**Cosmetology/Barber, Esthetician,
Electrology, Master Esthetician, Nail
Technology Licensing Board
September 12, 2005
Page 7**

Ms. Holloway advised the Board the convention was very informative. There was a County Sheriff Deputy talking about forged documents and how easy it is to forge documents. There was also a discussion regarding tattooing and sanitizing pedicure stations. **The Board took no action.**

Ms. Brown moved to adjourn, seconded by Mr. Ferguson. The motion carried unanimously.

Nest Board Meeting

The next Board meeting is scheduled for December 5, 2005.

Date Approved

Chairperson, Cosmetology/Barber, Esthetician,
Electrology/Nail Technology Licensing Board

Date Approved

Bureau Manager, Div. of Occupational &
Professional Licensing